

JURISDICTION:

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General Reference:

This chapter summarizes Missouri State statutes related to speed.
Vernon's Annotated Missouri Statutes

Basis for a Speed Law Violation:

Basic Speed Rule:

A person shall operate a motor vehicle in a careful and prudent manner and at a rate of speed so as not to endanger the property of another or the life or limb of any person and shall exercise the highest degree of care. §304.012.1

Statutory Speed Limit:
See Other below.

70 MPH on rural interstate¹ and freeways² §304.010.2(1)
65 MPH on rural expressways³ §304.010.2(2)
60 MPH on urban interstate highways⁴, expressways and freeways. §304.010.2(3)
60 MPH on other roads, except State 2 lane "lettered" roads, not located in an urban area. §304.010.2(4)
55 MPH on State 2 lane "lettered" roads §304.010.2(5)

Posted (Maximum) Speed Limit:

I. The State may increase the maximum speed limit to 60 MPH on State 2 lane "lettered" roads. §304.010.2(5) See the Note in below.
II. Local governments with State approval may establish speed limits on the streets or roads within their jurisdiction. §302.010.4 & .5
III. Under separate statutory authority, the State and local governments on roads under their jurisdiction may fix a speed limit by posting appropriate signs. A violation of this posted speed limit is *prima facie* evidence of careless and imprudent driving. §304.351.7
IV. Also, under separate authority, cities, towns and villages have the authority to enact ordinances which regulate traffic. This includes establishing speed limits. §§77.520, 79.410 & 300.205
V. The State may increase or decrease the maximum speed limits on and State road (e.g., interstate highways, freeways or expressways) not under a local jurisdiction. However, no speed limit shall be established >70 MPH. §304.010.3
Note: Except as noted under Other below, Missouri law does not specifically state whether different highway speed limits may be established either for different types of vehicles, for various weather conditions or for different times of the day.

Basis for a Speed Law Violation: (continued)

Minimum Speed Limit:

I. No person shall operate a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic. §304.011.1
II. For highways that have been divided into three or more lanes, a person, driving at less than the normal speed of traffic, shall drive in the right-hand lane for traffic or as close as practicable to the right-hand curb or edge of

¹A "rural interstate" is defined as a Federal interstate highway not located in an urban area. §304.010.1(3) An "urban area" is defined as an area with a population density of ≥1,000 persons per square mile. §304.010.1(4)

²A "freeway" is defined as a limited access divided highway with at least 4 lanes and which is not part of the Federal interstate system; such highway must be at least 10 miles in length with no access from other streets or roads for 10 miles intervals. §304.010.1(2)

³An "expressway" is defined as a divided highway with 4 or more lanes which is not part of the Federal interstate system. Such highway must be at least 10 miles long and is fully accessible from other streets or roads. §304.010.1(1) A "rural expressway" is one located in non-urban areas. An "urban area" is defined as an area with a population density of ≥1,000 persons per square mile. §304.010.1(4)

⁴An interstate highway located in an urban area. An "urban area" is defined as an area with a population density of ≥1,000 persons per square mile. §304.010.1(4)

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the roadway. §304.015.5(3)

Posted (Minimum) Speed Limit:

40 MPH on Federal interstate highways⁵ §304.011.2

Other:

Except as otherwise provide by law, a truck weighing >24,000 lbs. shall not be driven >60 MPH. §304.010.2

Adjudication of Speed Law Violations:

Civil/Criminal Adjudication of Violation:

- I. Driving ≤ 5 MPH Over the Speed Limit is an Infraction. §304.009.1
- II. Driving at less than the normal speed of traffic and not driving in the right lane is an Infraction.⁶ §304.015.7
- III. Driving ≥ 20 MPH Over the Speed Limit is a Class B Misdemeanor. §304.010.10
- IV. A Violation of the Basic Speed Rule is a Class B Misdemeanor. §304.012.2
- V. A Violation of the Basic Speed Rule which results in an accident is a Class A Misdemeanor. §304.012.2
- VI. Driving so as to Impede Traffic is an Unclassified Traffic Regulations Misdemeanor. §§304.11.1 & 304.570
- VII. A Violation of the Posted Speed Limit Established Under §304.351.7 (*prima facie* evidence of careless and imprudent driving) is a Class C Misdemeanor. §304.351.8
- VIII. All Other Speed Law Violations, including driving <40 MPH on a Federal Interstate, are Class C Misdemeanors. §§304.010.10 & 304.011.2

Other:

Sanctions Following an Adjudication of a Speed Law Violation:

Criminal Sanctions:

Imprisonment:

Term (Day, Month, Years,
Etc.):

- I. Infraction-None
- II. Class A Misdemeanor-Not more than **1 year** §558.011.1(5)
- III. Class B Misdemeanor-Not more than **6 months** §558.011.1(6)

Sanctions Following an Adjudication of a Speed Law Violation: (continued)

Criminal Sanctions:

Imprisonment:

Term (Day, Month, Years,
Etc.): (continued)

- IV. Class C Misdemeanor-Not more than **15 days** §558.011.1(7)

⁵There is an exception for certain agricultural type vehicles being operated on such highways via special permits for short distances. §304.011.2(2)

⁶If the violation causes an immediate threat of an accident, it is a Class C Misdemeanor. If such violation, results in an accident, it is a Class A Misdemeanor. §304.015.7

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| Mandatory Minimum Term: | V. <u>Unclassified Traffic Regulation Misdemeanor</u> -Not more than 1 year §304.570 |
| Fine: | None |
| Amount (\$ Range): | I. <u>Infraction</u> -Not more than \$200 §560.016.1(4) II. <u>Class A Misdemeanor</u> -Not more than \$1,000 §560.016.1(1) III. <u>Class B Misdemeanor</u> -Not more than \$500 §560.016.1(2) IV. <u>Class C Misdemeanor</u> -Not more than \$300 §560.016.1(3) V. <u>Unclassified Traffic Regulation Misdemeanor</u> - \$5 to \$500 §304.570 |
| Mandatory Min. Fine (\$): | None |
| Other Penalties: | |
| Traffic School: | |
| Other: | Additional Fine. If a person violates §302.010 of the speed laws while in a construction (or work) zone, they are assessed an additional fine of \$35 . §304.580 |
| Licensing Action: | |
| Type of Licensing Action (Susp/Rev): | Suspension or Revocation under the Point System ⁷ §§302.302 & 302.304 |
| Term of License Withdrawal (Days, Months, Years, etc.): | 30 days to 1 year ⁸ §302.304 |
| Mandatory Minimum Term of Withdrawal: | None Note: An offender is eligible for hardship driving privileges. ⁹ §302.309.3(1) |

⁷**Point System.** I. An offender's license is subject to suspension if they accumulate 8 points in 18 months. §302.304.3 If this is the offender's 1st suspension, the suspension period is 30 days. If this is the offender's 2nd suspension, the suspension period is 60 days. And, if this is the offender's 3rd or subsequent suspension, the suspension period is 90 days. §302.304.4 II. An offender's license is subject to revocation if they accumulate either 12 points within 12 months, 18 points within 24 months or 24 points within 36 months. The period of revocation is 1 year. §§302.304.7 & 302.190 III. The following points are assigned to speeding and speed related violations: Speeding in violation of State law-3 points; speeding in violation of local government law-2 points; and, other violations-2 points. §302.302.1(1) & (2) For careless and imprudent driving, 4 points are assessed. §302.302.1(4) Also, an additional 2 points are assessed if a violation resulted in either a personal injury or property damage. §302.302.2 However, no points are assessed for driving ≤5 MPH over the speed limit. §304.009.1

⁸Under most circumstances, a license cannot be either suspended or revoked for more than 1 year. §302.190 However, either a suspension or a revocation can be "continued in effect for two years" if a person does not maintain proof of financial responsibility. §302.304.4 & .7

⁹Hardship driving privileges may be granted for employment, occupational, business and educational purposes and for medical treatment including drug and alcohol treatment programs. §302.309.3(2)

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Miscellaneous Sanctions
Not Included Elsewhere:

Other Criminal Actions Related to Speeding:

Racing on Highway:

Note: Local governments may prevent racing on the highways.¹⁰

Reckless Driving:

See Basic Speed Rule.

Sanction:

Criminal:

Imprisonment (Term):

Mandatory Minimum Term
of Imprisonment:

Fine (\$ Range):

Mandatory Minimum Fine:

Administrative Licensing Actions:

Type of Licensing Action

(Susp/Rev):

Length of Term of License

Withdrawal Action:

Mandatory Term of License

Withdrawal Action:

Other:

Commercial Motor Vehicle (CMV) Operators¹¹:

Grounds for Disqualification:

A person is disqualified from operating a CMV if while driving such a vehicle they either (1) commit 2 "serious traffic violations"¹² within a 3 year period or (2) commit 3 such violations within a 3 year period. §302.755.5

Period of Disqualification:

2 serious violations (within 3 years)-Not less than **60 days** 3 serious violations (within 3 years)-Not less than **120 days** §302.755.5

Period of Mandatory Disqualification:

2 serious violations (within 3 years)-**60 days** 3 serious violations (within 3 years)-**120 days** §302.755.5

¹⁰I. A Third Class City (a city or town with population $\geq 3,000$) may enacted an ordinance prohibiting highway racing. §§72.030 & 77.590 The maximum sanctions that can be established for violating this prohibition are an imprisonment term of 3 months and/or a fine of \$500. §77.590 II. A Fourth Class City (generally a city or town with population ≥ 500 but $< 3,000$) may enacted an ordinance prohibiting highway racing. §§72.040.1 & 79.410 The maximum sanctions that can be established for violating this prohibition are an imprisonment term of 90 days and/or a fine of \$500. §79.470

¹¹A person who has obtained a commercial driver's license (CDL) and is qualified to operate a commercial motor vehicle. A commercial motor vehicle is defined as a vehicle designed to carry either passengers or property and either has a gross vehicle weight of $\geq 26,001$ lbs., is designed to transport more than 15 persons, or is transporting hazardous materials which requires that the vehicle to be placarded in accordance with U.S. Department of Transportation regulations. §302.700.2(6)

¹²A "serious traffic violation" includes careless, reckless, imprudent driving and other violations of the speed laws. §302.700.2(24)